

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JOSEPH THOMAS; VERNON AYERS;
and MELVIN LAWSON

PLAINTIFFS

v.

NO. 3:18-CV-00441-CWR-FKB

PHIL BRYANT, Governor of the State of
Mississippi; DELBERT HOSEMAN,
Secretary of State of the State of Mississippi;
and JIM HOOD, Attorney General of the
State of Mississippi, in the official capacities
of their own offices and in their official
capacities as members of the State Board
of Election Commissioners

DEFENDANTS

**JIM HOOD, ATTORNEY GENERAL OF THE STATE OF MISSISSIPPI'S
RESPONSE TO PLAINTIFFS' MOTION TO EXTEND QUALIFYING
DEADLINE IN TWO DISTRICTS**

Jim Hood, Attorney General of the State of Mississippi, and pursuant to the Court's Order dated February 25, 2019 [Dkt. # 68], files this response to Plaintiffs' Motion to Extend Qualifying Deadline in Two Senate Districts. [Dkt. # 66].

The Attorney General appears in this suit not as an attorney for the State or as an attorney for a state official. Instead, Plaintiffs have separately sued the Attorney General as a named defendant. The Attorney General has previously argued in filed motions that the suit should be dismissed because it is untimely [Dkt. # 20], and that he is not a proper defendant. *Id.* The Attorney General has also argued that resolution of this case requires a three-judge court. [Dkt. # 44]. Importantly, because the Attorney General has no legal role in drawing the district lines for either Senate or House districts, as a named defendant, he took no position during the bench trial held in this case on February 6 and 7, 2019, on whether Senate District 22 violates the Voting Rights Act.

Accordingly, the Attorney General takes no position as to Plaintiffs' motion to extend the qualifying deadline for Senate Districts 22 and 23 (and possibly Senate District 13) for 14 days, from March 1, 2019 to March 15, 2019. In light of the foregoing, and as a named defendant, the Attorney General does not propose a redistricting plan redrawing Senate District 22.

This the 26th day of February, 2019.

Respectfully submitted,

JIM HOOD, in his official capacity as Attorney General of the State of Mississippi and as a member of the State Board of Election Commissioners

BY: JIM HOOD, ATTORNEY GENERAL FOR THE STATE OF MISSISSIPPI

BY: /s/ Douglas T. Miracle
DOUGLAS T. MIRACLE, MSB # 9648
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CERTIFICATE OF SERVICE

I, Douglas T. Miracle, Special Assistant Attorney General for the State of Mississippi, do hereby certify that on this date I electronically filed the foregoing with the Clerk of this Court using the ECF system sending a copy to counsel of record.

This the 26th day of February, 2019.

/s/ Douglas T. Miracle
Douglas T. Miracle